

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #
DATE FILED 9/5/07

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DORIS STAEHR, Derivatively on Behalf
of LEHMAN BROTHERS HOLDINGS INC.,

Plaintiff,

-against-

07 Civ. 3562 (DAB)
ORDER TO SHOW CAUSE

RICHARD S. FULD, JR., JOSEPH M.
GREGORY, THOMAS A. RUSSO, DAVID GOLDFARB,
STEPHEN M. LESSING, JEREMY M. ISAACS,
CHRISTOPHER M. O'MEARA, JEFFREY A.
WELIKSON, HENRY KAUFMAN, ROGER S.
BERLIND, JOHN D. MACOMBER, MICHAEL L.
AINSILE, JOHN F. AKERS, THOMAS H.
CRUIKSHANK, CHRISTOPHER G. GENT,
MARSHA J. EVANS, BRADLEY H. JACK,
JEFFREY VANDERBEEK, MICHAEL F. MCKEEVER,
JOHN L. CECIL, CHARLES B. HINTZ,
ROBERT MATZA, JENNIFER MARRE,
DINA MERRILL, and HIDEICHIRO KOBAYASHI,

Defendants,

-and-

LEHMAN BROTHERS HOLDINGS INC.,

Nominal Defendant.

-----X
DEBORAH A. BATTS, United States District Judge.

Plaintiff filed her Complaint in this case on May 4, 2007.

On July 10, 2007, this Court ordered:

As of [July 10, 2007], Plaintiff Staehr has not yet served her Complaint. Once service of all three Complaints [in 07 Civ. 2990 (DAB), 07 Civ. 3562 (DAB), and 07 Civ. 3950 (DAB)] has been completed, Defendants in all actions shall have

thirty days to move against or answer each Complaint.

(Order, Nos. 07 Civ. 2990 (DAB), 07 Civ. 3562 (DAB), and 07 Civ. 3950 (DAB), dated Jul. 10, 2007.)

As of the date of this Order, no Defendant has been served with Staehr's Complaint.

Accordingly, Plaintiff Staehr is hereby ORDERED TO SHOW CAUSE why her causes of action against Defendants should not be dismissed for failure to prosecute. See Lyell Theatre Corp. v. Loews Corp., 682 F.2d 37, 42 (2d Cir. 1982) (holding that a district court's authority to dismiss an action for plaintiff's failure to prosecute "cannot seriously be doubted").

If Plaintiff fails within 30 days of the date of this Order to show cause, Plaintiff's causes of action against Defendants in this case shall be dismissed for failure to prosecute. Plaintiff's showing of good cause, if any, shall be made by affidavit.

SO ORDERED.

DATED: New York, New York
September 5, 2007


Deborah A. Batts
United States District Judge